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UNCLAS SECTION 01 OF 37 TEL AVIV 000548

SIPDIS

SENSITIVE  
SIPDIS

STATE PLEASE PASS TO USAID

G/TIP, G, INL, DRL, PRM, NEA/RA, NEA/IPA

E.O. 12958: N/A  
TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#) [IS](#)  
SUBJECT: EMBASSY TEL AVIV RESPONSE FOR TRAFFICKING IN  
PERSONS REPORT

REF: A. STATE 2731  
[B](#). INL G/TIP GAYATRI PATEL EMAILS  
[C](#). GAYATRI PATEL - ALAN HOLST TELEPHONE  
CONVERSATION MARCH 7

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[1](#). (SBU) This cable is Embassy Tel Aviv's input for the 2008 Trafficking in Persons (TIP) Report per Reftel A. Embassy point of contact is Alan Holst, telephone (972) 3-519-7437, fax 519-7484, email holstar@state.gov. The Government of Israel (GOI) TIP Report coordinator was hospitalized, and Post was granted extra time to prepare this response in order to allow for the GOI official, upon her return, to organize and submit the GOI's input, and for Post to analyze and incorporate that input. (Reftel B) Nomination of Heroes and Best Practices will be forthcoming in a separate cable.

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Overview of a country's activities to eliminate  
trafficking in persons  
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[2](#). Responses to questions in paragraph 27, section A of instructions cable. (Reftel A)

-- A. Is the country a country of origin, transit, and/or destination for internationally trafficked men, women, or children?

Although numbers have declined dramatically from the past, Israel remains a destination country for women trafficked internationally for the purpose of prostitution. NGOs reported that some Israeli women were trafficked to other countries for the purpose of prostitution. NGOs allege that an unknown number (estimates vary) of foreign workers are trafficked for the purpose of labor, although reliable quantification of those charges remains elusive.

-- B. Provide, where possible, numbers or estimates for each group; how they were trafficked, to where, and for what purpose.

Most sex trafficking victims are women age 18 to 35. The government reported that that police estimates were "a few hundred" victims in 2007, but no exact figures are available. In 2007, 75 trafficked women were housed at the Maagan shelter, with 42 women and 7 children resident at the shelter as of March 1, 2008. The former Soviet Union (FSU) remains the main source of sex trafficking victims, with Ukraine, Moldova, Russia and Uzbekistan the most common countries of origin. NGO Isha L'Isha Haifa Feminist Center (Isha L'Isha) reported 5 sex trafficking victims from China, and a "suspicion" that some women from the Philippines had been trafficked for the purpose of prostitution.

According to the government, most of the sex trafficking victims were smuggled across the Israel-Egyptian border, while a limited number arrived through Ben-Gurion airport

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either pretending to be tourists or using false marriage documents obtained from Israeli nationals. Most women were transferred from the Egyptian border directly to the Tel Aviv area, although some were taken to brothels or other sex establishments in other parts of Israel. According to evidence brought before the subcommittee that drafted the recommendations for the National Plan to Combat Trafficking for Prostitution, most trafficking victims are now found in call-girl establishments rather than in brothels.

According to NGO Hotline for Migrant Workers (Hotline), some Israeli women were trafficked to Canada and Ireland, which would make Israel a country of origin as well. The Task Force on Human Trafficking (TFHT) identified England and Canada as the destination countries for trafficked Israeli women. No estimates were available on the number of Israeli women trafficked to other countries, but we received no reports to indicate it was more than a few individuals.

The extent of labor trafficking is disputed, with government and NGO estimates (and even estimates from different NGOs) often reaching very different conclusions. Two of the reasons for these discrepancies are the problems of locating potential victims (many are either in private homes as domestic servants or in isolated areas as agricultural workers) and the difficulty in soliciting testimony from the workers even when they are located. TFHT also complained that lack of enforcement of labor trafficking laws by Israeli authorities limits collection of reliable data.

The main countries of origin for foreign workers are China, the Philippines and Thailand, which are likely the main countries of origin for labor trafficking victims as well.

Histadrut, the national federation of labor unions,

reported that 50 migrant workers were smuggled into Israel from Egypt. Histadrut agreed "there is no doubt" that migrant workers - as well as Israeli workers - were sometimes deprived of their rights. Nonetheless, Histadrut maintained that Israel is not a destination country for trafficked men and women. Histadrut noted that foreign workers are able to file complaints against their employers and "attain their full labor rights and benefits" and differentiated between discrimination against foreign workers, which they acknowledged, and trafficking or forced labor. Histadrut reported that 20 foreign workers were trafficked in the past five years - they did not clarify when within that period the workers were trafficked - due to debt bondage, withholding of passports, and other actions resulting in forced labor. Histadrut noted that they were aware of these individuals because they came to Histadrut's offices to complain against their employers.

NGOs have acknowledged that in many cases the workers fear losing their jobs, and thus their means of paying

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back large debts they incurred to secure the job and travel to Israel. This often prevents labor trafficking victims from speaking out against their treatment. The government has pointed out that in many cases the workers, despite the harsh conditions of their employment, do not see themselves as victims because they left even worse conditions and/or wages in their home country and would not voluntarily leave their job in Israel. The government has therefore maintained that, for a variety of reasons, it is difficult to determine which foreign workers are in fact trafficking victims, and that while labor trafficking certainly exists in Israel, it is very problematic to determine its magnitude.

According to most estimates, very few labor trafficking victims entered Israel through illegal means. Almost all labor trafficking victims entered Israel with visas. The Ministry of Industry, Trade and Labor (MITL) issued 92,344 permits for employment of foreign workers in various fields. Based on the number of trafficking victims it assisted in 2007, Hotline estimated that 1.2 percent of migrant workers become labor trafficking victims - i.e., approximately 1,100 new labor trafficking victims in 2007.

-- C. Does the trafficking occur within the country's borders?

Some Israeli women are trafficked internally. Isha L'Isha noted a "sharp" increase of internally trafficked women in Israel. According to Hotline, most victims of labor trafficking entered the country legally and were later trafficked. In the words of the GOI response, "Trafficking is not an isolated event occurring at one specific point of time and place; it is a chain of events resulting in the trafficking of a person. Some elements may occur in Israel, while others occur in the origin and transit countries. In this sense, most of the trafficking cases include elements committed within Israel."

-- D. Does it occur in territory outside of the government's control (e.g. in a civil war situation)?

Isha L'Isha charged that sex trafficking to and from the Palestinian Authority has been going on for many years, but said that they were not yet in a position to estimate the amount.

-- E. Are any estimates or reliable numbers available as to the extent or magnitude of the problem?

Hotline theorized that sex trafficking of foreign women decreased and moved underground. Hotline reported that it assisted 49 women in 2007 who had been trafficked for sex, but that all had been trafficked before 2007. See paragraph 2, section B for additional estimates. NGO Kav LaOved estimated that "at least" several hundred migrant workers "suffer from working conditions which constitute

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slavery" and that "several thousand are subjected to forced labor."

-- F. What is (are) the source(s) of available information on trafficking in persons or what plans are in place (if any) to undertake documentation of trafficking?

There is no comprehensive report on the numbers, demographics or circumstances of labor trafficking victims, nor is any currently planned by the GOI, NGOs or IOs, to the best of our knowledge. Sources include government and NGO estimates, media reports (also estimates), and data from organizations like the Maagan shelter's annual report on the number of victims they assisted, although such data does not include undocumented cases. NGO Machon Toda'a collected most of its information through contact via the internet. The government reported that the Intelligence Department of the Israeli Police conducted routine surveys, reports and analysis of trafficking, and that the Commissioner of Police and the Minister of Public Security received monthly reports on police activity in trafficking and related offenses. Hotline reported that police stopped conducting brothel raids and consequently no arrests of traffickers and little or no contact with victims by Hotline.

-- G. How reliable are the numbers and these sources?

The sources are reliable, but the numbers are often estimates and therefore vary greatly, particularly in the case of labor trafficking.

-- H. Are certain groups of persons more at risk of being trafficked (e.g. women and children, boys versus girls, certain ethnic groups, refugees, etc.)?

For internal trafficking, Israeli women from the lower socio-economic strata, often immigrants from the FSU, minors, and drug addicts are most at risk, according to the government. TFHT added women with a history of sexual abuse. For international trafficking, women age 18-35 from the FSU are at highest risk for sex trafficking, while workers from China (often construction workers), Thailand (often agricultural workers) and the Philippines (often domestic servants) constitute the largest groups of alleged labor trafficking victims. Kav LaOved identified female caregivers as the highest risk group for labor trafficking (especially those from Nepal and Sri Lanka due to languages issues) as well as Thai agricultural workers. Individuals with limited or no English skills are at higher risk for both sex and labor trafficking, and foreign workers who paid large fees to secure their jobs (Chinese workers reportedly paid the highest of fees of all foreign workers) are at higher risk for labor trafficking. The government reported that Thai agricultural workers are highly vulnerable due to their isolated places of work, lack of Hebrew language skills, and their cultural background. Hotline and Kav

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LaOved alleged that Turkish workers employed under the "Thanks for Turks" agreement were also at risk, as the agreement between the GOI and GOT (according to Kav

LaOved, salaries were transferred directly to Turkey and deducted from the reciprocal purchase to which the GOI was obligated in the arrangement) bound the workers to the contracted company and left them open to abuse and exploitation. Although there are no reports of trafficking of African asylum seekers in 2007, the growing number of African asylum seekers who entered Israel illegally - their population increased from a few hundred in late 2006 to several thousand by the end of 2007 - and the desperate circumstances many of them now find themselves in suggest that they constitute an at risk group for future trafficking.

13. Responses to questions in paragraph 27, section B of instructions cable. (Reftel A)

-- A. Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g. changes in direction).

The nature of sex trafficking in Israel is in flux. The tougher laws and increased investigations and prosecutions against sex traffickers have greatly reduced the number of women trafficked into Israel from years past. The sex industry is adapting, both in going underground (call girls vs. brothels) making it harder to locate and interdict, and by procuring victims with new methods -- such as internet advertising -- and from new locations. One clear trend seems to be an increase in internal trafficking, a concern echoed by, among others, the National Investigator's Office of the Israel Police and NGO Isha L'Isha Haifa Feminist Center. There were also reports of a small number of Israeli women trafficked to other countries. While the overall problem of trafficking for the purposes of prostitution remains smaller than in the past, both the government and NGOs expressed concern about keeping ahead of the traffickers, and are working together to assess and respond to the situation.

In labor trafficking, Kav LaOved reported an increase of foreign workers exploited by the use of "flying visas," particularly in the caregiver sector, that they believe left increasing numbers of migrant workers subject to debt bondage. (See paragraph 3 section F for further reporting on this phenomena.) Kav LaOved also reported a rise in "open visas" leading to debt bondage. In this practice, employers and recruitment agents with permits to employ caregivers charge workers large amounts of money to register their names on the employer's permit. According to Kav LaOved, this enables the worker to work elsewhere without a permit, while ostensibly employed with a valid work permit, and the workers are defrauded into thinking this practice is legal and/or necessary. Kav LaOved also reported an "alarming" increase in the practice of employers or manpower agencies attempting to remove migrant workers from Israel forcefully by threats,

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intimidation and deceit. According to Kav LaOved, employers have become aware that workers are reporting these practices to the NGO, and are confiscating cell phones, restricting movement, and threatening the workers to prevent them from contacting Kav LaOved (or other organizations) to voice their complaints.

Changes in direction included the following.

On January 10, 2007 the inter-agency Committee of Directors General approved a National Plan regarding the Battle against Slavery and Trafficking in Persons for the Purposes of Slavery or Forced Labor. The plan identified five actions as the highest priorities as this stage, and appointed teams to design steps to implement them.

(1) In the realm of prevention, to undertake

information campaigns in the countries of origin of foreign workers in order to equip them with basic information about their conditions of employment and rights.

(2) In the realm of prosecution, to coordinate a clear division of labor among the law enforcement agencies in regard to investigation and prosecution of regulatory offenses versus criminal law offenses like trafficking and slavery.

(3) In the realm of prosecution, to design a guide by which to identify victims of trafficking and slavery (otherwise known as a national referral mechanism) to be used at relevant crossroads.

(4) In the realm of protection, to establish supportive frameworks and an array of services for victims of trafficking and slavery, including residence solutions and medical insurance.

(5) In the realm of protection, to promote safe return of victims of trafficking and slavery to their countries of origin.

On July 11, 2007 the Committee of Directors General approved a National Plan regarding the Battle against Trafficking in Persons for the Purpose of Prostitution. The committee identified five goals as the highest priorities at this stage, and appointed inter-ministerial teams to design steps to implement them.

(1) In the realm of prevention, to strengthen supervision of the Egyptian border.

(2) In the realm of prosecution, to encourage awareness of possible changes in patterns of criminal activity and act accordingly.

(3) In the realm of protection, to fashion a tool kit to facilitate the identification of victims of trafficking.

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(4) In the realm of protection, to promote the safe return of victims of trafficking to their countries of origin.

(5) In the realm of protection, to make efforts to ensure medical treatment to all victims of trafficking who have legal status in Israel.

On December 2, 2007, Government Resolution 2670 approved the National Plan to Combat Trafficking for Prostitution and the National Plan to Combat Trafficking for Labor; approved the establishment of a shelter and three apartments for victims of slavery and trafficking for slavery and forced labor; and approved an annual national award for individuals and organizations or offices that made "outstanding contributions to the battle against trafficking."

In June 2007, detailed guidelines concerning trafficking in persons were issued by the Investigations and Intelligence Division of the Israeli Police dealing with treatment of trafficking offenses, including distribution of areas of responsibility between police units and treatment of related offenses.

Following a series of inter-agency meetings chaired by the National Coordinator to Combat Trafficking in Persons (National Coordinator) a procedure to transfer relevant information between agencies was developed.

Israel signed and is in the final stages of ratifying the Optional Protocol to the Convention on the Rights of the

Child, on the Sale of Children, Child Prostitution and Child Pornography; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women in Children, supplementing the United Nations Convention against Transnational Crime.

Israel facilitated an agreement between the International Organization of Migration (IOM) and Thailand -- a key country of origin for labor trafficking victims in Israel -- to supervise the recruitment of Thai workers to Israel so as to prevent high middleman fees and to "insure legal, fair and well informed temporary migration to Israel for work in the agricultural sector." The agreement sets a maximum recruitment fee of 3,135 NIS, including medical examinations, exclusive of travel expenses to Israel. IOM will work with an NGO partner in Israel and with the Foreign Workers Department of MITL to implement the program.

The government halted the entry of Nepalese workers in 2007 because Nepal lacked diplomatic representation in Israel. Kav LaOved noted that the entry of Nepalese workers has not resumed despite the recent opening of a Nepalese Embassy.

Various government and police officials participated in numerous international events related to fight against trafficking.

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Responsibilities for the Ombudswoman for the Complaints of Foreign Workers, which served as a clearing house for complaints of foreign workers in the construction industry, broadened its responsibilities to include foreign workers in agriculture and nursing care. The Ombudswoman received 243 complaints in 2007, of which 170 were concluded and 73 were still under investigation.

MITL issued a special workers' rights brochure for the construction industry in English, Russian, Romanian, Turkish, Thai and Chinese. MITL also began distributing a brochure -- in Hebrew, English, Chinese, Thai, Russian, Romanian and Turkish -- setting out general labor rights of foreign workers in Israel to every foreign workers upon their arrival to Ben Gurion Airport, and posted the brochure on its website.

Using a wide variety of sources, the National Coordinator's office began conducting research into the political, economic and social conditions of countries of origin of foreign workers in order to better acquaint government agencies and NGOs with the attitudes and perceptions of victims. Reports on China, Ghana and Eritrea were completed and disseminated to relevant bodies. A report on Thailand is currently in preparation.

-- B. (Other items to address may include: What kind of conditions are the victims trafficked into?)

Sex trafficking victims have generally gone underground with the industry itself, and thus it is difficult to ascertain their conditions. The government postulated that "harsh verdicts delivered in cases of trafficking accompanied by violence increased deterrence among traffickers and resulted in less violence towards the women."

Labor trafficking victims, both acknowledged and alleged, tend to fall into one of two categories -- domestic servants whose conditions vary greatly from employer to employer, and agricultural workers who often are crowded into unsanitary accommodations that might not have even been constructed for human habitation, sometimes compelled to work extreme hours with curtailed freedom of

movement (including passports withheld), and in some cases subjected to violence, physical restraint and/or sexual harassment.

Examples of individual cases are highlighted in the individual NGO reports forwarded by email per Reftel C.

-- C. Which populations are targeted by the traffickers?

Women from the FSU remain the most common targets for sex trafficking, while Chinese construction workers, Thai agricultural workers and Philippine domestic servants the most common victims of labor trafficking.

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-- D. Who are the traffickers/exploiters? Are they independent business people? Small or family-based crime groups? Large international organized crime syndicates?

The government and NGOs agreed that trafficking of women into Israel for the purpose of prostitution is generally conducted by organized crime groups. The government noted that in some cases trafficking was conducted by families or individuals, while Hotline added as well "amateur entrepreneurs" such as drivers, brothel managers and other "on the ground" operatives "looking to make a quick buck."

Hotline reports that labor traffickers tend to be private individuals who employ domestic workers or agricultural workers, plus some manpower agencies, "someone from the origin country working with Israeli partners" or "sometimes married to an Israeli or residing in the country illegally." Histadrut identified "exploiters" as manpower companies who took large up front fees, or employers who intimidated and abused the workers. The government reported "no exact statistics" on labor trafficking, citing the newness of the labor law amendments that criminalized labor trafficking in October 2006 and the small number of indictments to date (three in the final stages of approval by the State Attorney's Office.) Thus far, according to the government, "the perpetrators have been found to be otherwise normative Israeli citizens in the field of agriculture."

-- E. What methods are used to approach victims? (Are they offered lucrative jobs, sold by their families, approached by friends of friends, etc.?)

According to Hotline, NGOs in the Ukraine report that women are often recruited for sex trafficking through friends and newspaper ads. Israeli women who are trafficked internally reportedly are commonly found via newspaper and internet ads, or trafficked by a lover, family member or someone else they know. The government also reported that newspaper and internet ads in the countries of origin were the most common form of recruitment. Labor trafficking victims almost always come to Israel voluntarily, often seeking out manpower agencies in search of overseas employment. Kav LaOved reported that recruitment agents abroad often visit poor villages and tempt workers with promises of lucrative employment and good conditions, both of which later turn out to be false. As an example, Kav LaOved noted that some Thai agricultural workers take out loans or raise amounts up to \$10,000 for recruitment fees based on promises of high monthly salaries, only to discover when they arrive that their low monthly salary does not even enable them to meet their loan repayments.

-- F. What methods are used to move the victims (e.g., are false documents being used?).

Hotline reports that Israeli women trafficked externally entered the target countries on tourist visas. An



unknown number of labor trafficking victims enter Israel via "flying visas" that are work visas for jobs that turn out to be nonexistent, resulting in the workers -- now without a source of income, no legal status in Israel, and presumably large debts accrued in acquiring the non-existent job and transportation to Israel -- extremely vulnerable to exploitation. According to the government and numerous NGOs, most sex trafficking victims were smuggled across the border with Egypt.

-- G. Are employment, travel, and tourism agencies or marriage brokers involved with or fronting for traffickers or crime groups to traffic individuals?

The government reported that it had not found travel agencies or marriage brokers serving as a front for sex trafficking or labor trafficking. Machon Toda'a charged that marriage brokers are used to approach victims, as are modeling agencies, family and friends. NGOs allege that employment agencies are often involved in labor trafficking, both in the overt manner of the "flying visas" described in answer 3F, and in facilitating Israeli employers who allegedly withhold passports and take other actions that would constitute trafficking.

14. Response to questions in paragraph 27, section C of instructions cable. (Reftel A)

-- A. Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

The national inter-agency coordinator for GOI anti-trafficking efforts is Rachel Gershuni of the Ministry of Justice (MOJ). Primary agencies involved in these efforts include MOJ (the Attorney General, State Attorney, the Legal Aid Division, and the Tribunal for Detention Review, in addition to the National Coordinator); the Ministry of the Interior (Interior); The Ministry of Social Affairs and Social Services; The Prime Minister's Office (PMO) (particularly the Authority for the Advancement of Women); The Ministry of Education; The Ministry of Foreign Affairs (MFA); The National Police Investigations Unit; The Immigration Authority (and Immigration Police); MITL; The Prison Administrative Tribunal; and the Knesset (notably the Special Parliamentary Committee on the issue of Foreign Workers.)

15. Responses to questions in paragraph 27, section D of instructions cable. (Reftel A)

1A. What are the limitations on the government's ability to address this problem in practice? For example, is funding for police or other institutions inadequate?

While praising the National Coordinator's efforts, TFHT observed that her office was understaffed and overburdened and this prevented the completion of certain functions, often resulting in "a bottleneck." Some funding issues hamper efforts. MITL has only 1

investigator for 350 manpower companies. TFHT complained that police did not commit sufficient manpower to combat trafficking, and said that police are not permitted to execute sting operations by order of MOJ. Isha L'Isha, however, said that trafficking in women is successfully investigated in the Tel Aviv central unit and "it can be seen that state resources are allocated to this unit" but that "central units in the periphery rarely treat the issue of trafficking in women." Labor trafficking victims still lack a shelter. NGOs complain of lack of interpreters at deportation hearings. The problem is not

a lack of resources, but with many competing security and other demands, a question of allocation.

In labor trafficking specifically, Kav LaOved complained of "indifference, lack of good will, and bureaucracy," noting for example that the government funds more than 400 policeman to apprehend and deport undocumented migrant workers, but "only a handful" of policemen to deal with the protection of migrant workers' rights and investigate criminal offenses committed against migrant workers. Kav LaOved complained of lack of coordination among Israeli authorities when it comes to labor trafficking, and an unwillingness to acknowledge offenses symptomatic of trafficking (notably excessive recruitment fees.) Another problem, according to Kav LaOved, is that the National Coordinator only has an advisory roles and lacks essential powers, such as the ability to halt the deportation of a suspected trafficking victim. Kav LaOved cited a number of other problems, such as lack of screening of deportees for trafficking victims prior to deportation, an insufficient number of translators, and the lack of a shelter for labor trafficking victims. Kav LaOved singled out Interior as the source of "most of the problems" they encounter, and complained that the ministry was unresponsive to complaints, lacked sensitivity to the issues of the victims, failed to identify victims, and was reluctant to take actions it is authorized to take to combat trafficking, such as issuing visas to victims.

1B. Is overall corruption a problem?

No.

1C. Does the government lack the resources to aid victims?

No.

16. Response to questions in paragraph 27, section E of instructions cable. (Reftel A)

-- A. To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts - prosecution, victim protection, and prevention) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

The government reported that the National Coordinator

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attempts to monitor the efforts of government agencies "on micro and macro levels" to "identify problems and seek solutions," and cited inter-agency meetings she convened and meetings between NGOs and government officials she initiated. The government explained that the National Coordinator annually prepares a summary of the government's steps to combat trafficking that is placed on the MOJ website and advertised to the public. A special internet site for the office of the National Coordinator is in final stages of preparation. The Department of International Agreements and Litigation in MOJ submits an annual report to the State Department, which is then disseminated among key government officials. The Parliamentary Subcommittee of Trafficking in Women chaired by MK Zehava Gal-On (a subcommittee of the Committee on the Status of Women) held its annual session following the publication of the State Department's Trafficking in Persons Report to discuss the issues raised in the report, and Ambassador Jones gave remarks at the event and participated in the discussion. As usual, the Special Parliamentary Committee on the issue of Foreign Workers, chaired by MK Ran Cohen, teamed with the Parliamentary Subcommittee of Trafficking in Women for the meeting on the State Department's TIP Report.

Hotline described GOI efforts as "poor" and said "we are usually the ones providing information." Isha L'Isha described the government's monitoring efforts as "not acceptable" and that ministries are not helping to implement the "new law" (2006 amendments to the trafficking law) and the situation is "now deteriorating." Machon Toda'a noted that "the internet domain is fenceless" and is now the main platform of the sex industry worldwide and in Israel, and argued the need for education and awareness campaigns on the virtual sex industry.

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Investigation and prosecution of traffickers  
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17. Response to questions in paragraph 28, section A of instructions cable. (Reftel A)

-- A. For questions A-D, posts should highlight in particular whether or not the country has enacted any new legislation since the last TIP report.

In August 2007 an amendment to the Criminal Procedure Law (Consolidated Version) 5742-1982 was passed by which the courts are empowered to receive a psychosocial survey of the condition of a victim of a crime of violence and of the damage caused by the crime. "Crime of violence" includes all trafficking crimes, abduction for the purposes of trafficking, holding a person under conditions of slavery, forced labor, causing a person to leave the country in order to engage them in prostitution or enslave them.

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In hopes of expediting cases, the Knesset approved an amendment to the Courts Law on January 29, 2008 that entered into force on February 7, 2008 by which trafficking for prostitution case will be heard by one judge instead of a bench of three judges, as was the case previously. The amendment is entitled Courts Law (Amendment number 48) (a Sole Judge in Trafficking in Persons for Prostitution).

-- B. Does the country have a law specifically prohibiting trafficking in persons--both for sexual and non-sexual purposes (e.g. forced labor)?

Yes.

-- C. If so, please specifically cite the name of the law and its date of enactment and provide the exact language of the law prohibiting TIP and all other law(s) used to prosecute TIP cases.

The comprehensive anti-trafficking law entitled Prohibition of Trafficking in Persons (Legislative Amendments) Law 5766-2006 came into force on October 29, 2006.

-- The courts are authorized to hold trials involving trafficking in persons behind closed doors and to prevent the publication of details that identify the victims.

Additional details sent to G/TIP via email per Reftel C.

-- D. Does the law(s) cover both internal and external (transnational) forms of trafficking?

Yes. Hotline, however, charged that while the law does not make a distinction between internal and external trafficking, no cases of internal trafficking have ever been opened.

-- E. If not, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of force, fraud or coercion?

Not applicable.

-- F. Are these other laws being used in trafficking cases?

Isha L'Isha cited various laws dealing with extortion, threats, rape, indecent assault, attempted murder, and drug trafficking, in addition to the comprehensive sex and labor trafficking statutes in the trafficking law as amended in 2006. Kav LaOved noted non-criminal statutes not specifically enacted for trafficking that allow for civil penalties, such as national labor laws, tort laws (particularly provisions on exploitation), and the Prevention of Sexual Harassment Law (where victims can receive compensation without proof of damage.)

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-- G. Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes, (e.g., civil forfeiture laws and laws against illegal debt).

Additional details sent to G/TIP via email per Reftel C.

18. Response to questions in paragraph 28, section B of instructions cable. (Reftel A)

-- A. What are the prescribed penalties for trafficking people for sexual exploitation?

The maximum penalty for trafficking in persons under the law is 16 years, increasing to 20 years if the victim is a minor.

The maximum penalty for kidnapping for any of the purposes of trafficking is 20 years, with a maximum penalty of 10 years for taking a person outside the borders of the country in which they reside for the purposes of trafficking.

The 2006 amendments to the trafficking law increased from one to three years the penalty for withholding a passport, increasing to five years with certain aggravated circumstances, such as placing the person deprived of their passport in jeopardy.

The trafficking law instructs the court to grant to trafficking victims compensation to be paid by the offender or through a dedicated fund to be set up for such purposes.

-- B. What penalties were imposed for persons convicted of sexual exploitation over the reporting period? Please note the number of convicted sex traffickers who received suspended sentences and the number who received only a fine as punishment.

Hotline reported that sentences for sex trafficking convictions ranged from 3 months to 6 years, with an average of 2.8 years, which Hotline said was a small decline from 2006. According to Hotline, the courts awarded legal redress to 8 victims in 6 cases in amounts ranging from 5,000 NIS to 50,000 NIS, with an average of 31,666 NIS per defendant and 25,626 per victim. TFHT complained that not enough cases were prosecuted, and insufficient sentences were handed down when convictions were achieved. It cited one instance (Case 1130/06 State of Israel vs. Aleksai Sakhno and Vladimir Abromov, decision dated September 16, 2007) of "two known

traffickers with a history of trafficking that went unprosecuted" who were given "a particularly lenient sentence" of 15 months, and the victims were not awarded any compensation. Other NGOs also complained about what they considered the lack of prosecutions and insufficient sentences in trafficking cases, particularly labor trafficking, although TFHT noted that "as with any new

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law (regarding the 2006 amendments criminalizing labor trafficking) the application of the law will be complicated, requiring some time before law enforcement and courts are able to efficiently implement it." Isha L'Isha, however, noted that "penalties (for sex trafficking) have increased in general."

19. Response to questions in paragraph 28, section C of instructions cable. (Reftel A)

-- A. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor and involuntary servitude?

The prescribed penalty for trafficking for labor is up to 16 years of imprisonment, or up to 20 years of imprisonment if the offense is committed against a minor. Trafficking for forced labor carries a penalty of up to 7 years imprisonment. Holding a person under conditions of slavery carries a penalty of up to 16 years of imprisonment.

In December 2007 two defendants were convicted of organ trafficking under the new labor and organ trafficking sections of the anti-trafficking law. Some of victims' cases constituted debt bondage. One defendant was sentenced to four years of imprisonment, an additional suspended sentence, and 60,000 NIS compensation to be awarded to the victims. The other defendant was sentenced to 20 months imprisonment and an additional suspended sentence.

The National Coordinator stressed that showed that Israel has internalized a comprehensive view of trafficking and is determined to enforce the law in all aspects of trafficking, and that it was a groundbreaking case on an international level, and cited a number of colleagues from governments in other countries that called the case precedent-setting.

-- B. Do the government's laws provide for criminal punishment - i.e. jail time - for labor recruiters in labor source countries who engage in recruitment of laborers using knowingly fraudulent or deceptive offers that result in workers being trafficked in the destination country?

Yes, the law carries a penalty of up to 16 years for labor recruiters, with another possible 10 years for causing the victim to leave his or her country for the purposes of prostitution or slavery. Hotline noted that there is no case law regarding this issue since no criminal charges have been filed against labor traffickers. (The government noted the conviction for organ trafficking was the result of the amendment to the labor law that included the criminalization of labor trafficking.) The MITL office responsible for manpower agencies said it revoked 50 licenses during 2007.

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-- C. Are there laws in destination countries punishing employers or labor agents in labor destination countries who confiscate workers' passports or travel documents,

switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service?

Yes, the trafficking law carries a maximum sentence of three years imprisonment for detaining a passport, up to five years for detaining a passport for the purposes of trafficking. The law also carries a penalty of up to three years of imprisonment for "taking advantage of the distress, physical or mental weakness, inexperience of carelessness of another person" which the government said could be viewed as circumstantial evidence pointing to trafficking, slavery or forced labor. Hotline noted that there is no specific law prohibiting switching contracts as a means to keep the worker in a state of service or withholding payment for that means, but that if such act results in keeping a worker in a state of servitude the offender might be liable for punishment for holding a person under conditions of slavery under article 375A of the Penal Code, or for forced labor under article 376 of the Penal Code. Kav LaOved complained that the government was "well aware of the existence and the extent of the industry in recruitment fees" but was not actively pursuing the issue in Israel or in source countries. The government has expressed frustration with such charges, and pointed out their limitations in investigating and prosecuting cases in source countries where the activity might not even be criminalized. Kav LaOved also complained that employers - particularly farmers, according to their examples - that are given new permits even after they were found guilty of offenses.

-- D. If law(s) prescribe criminal punishments for these offenses, what are the actual punishments imposed on persons convicted of these offenses? Please note the number of convicted labor traffickers who received suspended sentences and the number who received only a fine as punishment.

The government reported 693 criminal indictments, 48 judgments and 11,169,280 NIS in fines against employers and manpower companies for violations of labor laws pertaining to foreign workers, plus 37 licenses revoked and 28 licenses limited. However, the only explicit labor trafficking-related conviction and sentence was the organ trafficking case described in paragraph 9 section 1A.

110. Response to questions in paragraph 28, section D of instructions cable. (Reftel A)

-- A. What are the prescribed penalties for rape or forcible sexual assault?

For rape, 16 years, 20 years under aggravated circumstances, including use of violence or rape of a

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minor. For consensual sex with a minor, up to 5 years.

-- B. How do they compare to the prescribed penalties for crimes of trafficking for commercial sexual exploitation?

The penalty for rape carries the same penalty as trafficking for the purposes of prostitution, although TFHT noted that the letter of the law is stricter with respect to sex trafficking.

111. Response to questions in paragraph 28, section E of instructions cable. (Reftel A)

-- A. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitute criminalized?



The activities of the prostitute are not criminalized, nor currently is soliciting a prostitute except when a minor is involved. Related activities such as maintaining a place for the purpose of prostitution, pimping, and publication of sex advertisements (under certain circumstances) are criminalized.

-- B. Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized?

Yes. See previous answer.

-- C. Are these laws enforced?

Yes, according to the government. TFHT complained that the laws against related activities are rarely prosecuted. Hotline said the laws are rarely enforced due to directives issued by the State Attorney in 2006 that specified cases should be investigated by the police only if one of a set of conditions applied, such as the involvement of minors or when other criminal activities took place.

-- D. If prostitution is legal and regulated, what is the legal minimum age for this activity? Note that in many countries with federalist systems, prostitution laws may be under state or local jurisdiction and may differ among jurisdictions.

Prostitution is not considered legal.

¶12. Response to questions in paragraph 28, section F of instructions cable. (Reftel A)

-- A. Has the government prosecuted any cases against human trafficking offenders? If so, provide numbers of investigations, prosecutions, convictions, and sentences served, including details on plea bargains and fines, if relevant and available.

The courts prosecuted 20 sex trafficking cases. Some of the 84 pandering cases that were prosecuted were originally trafficking cases that were adjusted due to

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lack of evidence. Kav LaOved noted that minutes of a December 26, 2007 government joint committee meeting of Knesset Committee for the Problem of Migrant Workers and the Committee for the Struggle against Trafficking in Women showed that the Immigration Department at the Ministry for Public Security reported that three indictments have been prepared concerning forced labor, and one indictment concerning slavery, and that one of the indictments has been filed in court. No further information is available at this time on these reported indictments.

-- B. Please indicate which laws were used to investigate, prosecute, convict, and sentence traffickers.

The Prohibition of Trafficking in Persons law.

-- C. Also, if possible, please disaggregate by type of TIP (labor vs. commercial sexual exploitation) and victims (children, as defined by U.S. and international law as under 18 years of age, vs. adults).

Except for the organ trafficking case reported previously, all trafficking cases were prosecuted for sex trafficking. There were no labor trafficking cases, although the government did fine and indict employers for various labor law offenses. We do not have a breakdown of how many involved minors. Isha L'Isha noted that "the difficulties of implementing the new law are mainly due to its innovative concepts that regard every human being

as entitled to dignity, and it is hard to implement it in several ministries."

-- D. Does the government in a labor source country criminally prosecute labor recruiters who recruit laborers using knowingly fraudulent or deceptive offers or impose on recruited laborers inappropriately high or illegal fees or commissions that create a debt bondage condition for the laborer?

Not applicable.

-- E. Does the government in a labor destination country criminally prosecute employers or labor agents who confiscate workers' passports/travel documents, switch contracts or terms of employment without the worker's consent, use physical or sexual abuse or the threat of such abuse to keep workers in a state of service, or withhold payment of salaries as a means to keep workers in a state of service?

The government has the authority to do so under the comprehensive anti-trafficking law, but all reported judgments against employers and labor agents were under labor laws, except for the organ trafficking case. Post forwarded by email per Reftel C information Kav LaOved provided on a number of cases that it alleged were examples of the government's failure to respond to labor trafficking.

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-- F. Are the traffickers serving the time sentenced? If not, why not?

The government reported that all are serving their sentences, except those who fled justice. Hotline reported that as far as they knew all convicted sex traffickers were serving the time sentenced.

-- G. Please indicate whether the government can provide this information, and if not, why not?

See previous answer.

¶13. Response to questions in paragraph 28, section G of instructions cable. (Reftel A)

-- A. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking? Specify whether NGOs, international organizations, and/or the USG provide specialized training for host government officials.

Yes, many in concert with NGOs. Details forwarded by email per Reftel C.

¶14. Response to questions in paragraph 28, section H of instructions cable. (Reftel A)

--A. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases?

Yes, the government cooperated with authorities from Russia, Ukraine, and other Western European and FSU countries, in cases involving both international and Israeli traffickers. Hotline agreed that when a trafficked woman claimed it was dangerous for her to return to her home country, Israeli police cooperated with local police to investigate. Hotline noted that the bilateral agreement the government signed with Thailand whereby IOM will facilitate the recruitment of Thai workers has yet to take effect, so it is not yet known what effect that might have on investigations and



prosecutions of labor trafficking cases. Kav LaOved noted that the Government passed a decision that as of August 2008 migrant workers will only be brought into Israel from countries with which Israel has bilateral relations.

-- B. If possible, can post provide the number of cooperative international investigations on trafficking during the reporting period?

No specific number was reported.

¶15. Response to questions in paragraph 28, section I of instructions cable. (Reftel A)

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-- A. Does the government extradite persons who are charged with trafficking in other countries?

Yes.

-- B. If so, can post provide the number of traffickers extradited during the reporting period?

No specific number was reported. The government cited as an example an October 2007 request to Ukraine for the provisional arrest of an Israeli national to stand trial for organ trafficking.

-- C. Does the government extradite its own nationals charged with such offenses?

Yes, according to Israel's Extradition Law 5714-1954, the government may extradite Israeli nationals charged with trafficking for a number of purposes, including prostitution and forced labor. Two requests, one from Ukraine and one from Panama, are pending.

-- D. If not, is the government prohibited by law from extraditing its own nationals?

Not applicable.

-- E. If so, what is the government doing to modify its laws to permit the extradition of its own nationals?

Not applicable.

¶16. Response to questions in paragraph 28, section J of instructions cable. (Reftel A)

-- A. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level? If so, please explain in detail.

The government stated that its authorities unequivocally condemn all forms of trafficking. Several NGOs expressed a desire for greater anti-trafficking efforts and investment (especially in services to victims), Hotline reported that a brothel was on the municipal records of one city (that sued the brothel for non payment of taxes), and Kav LaOved raised questions about the government's policy toward Eritrean asylum seekers (a number of whom were placed in work situations within Israel) but we received no reports indicating government involvement in or tolerance of trafficking.

¶17. Response to questions in paragraph 28, section K of instructions cable. (Reftel A)

-- A. If government officials are involved in trafficking, what steps has the government taken to end such participation?

For the past seven years, the Department for

Investigation of Police Officers, an autonomous body with

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the Ministry of Justice, has been operating a unit investigations and undercover activity to uncover any involvement by government officials in trafficking-related corruption.

-- B. Please indicate the number of government officials investigated and prosecuted for involvement in trafficking or trafficking-related corruption during the reporting period.

A few cases of improper activity, such as mistreatment of foreign workers, were investigated, and some were prosecuted. The government reported no cases of trafficking involving government officials.

-- C. Have any been convicted? What sentence(s) was imposed? Please specify if officials received suspended sentences, were given a fine, fired, or reassigned to another position within the government as punishment. Please provide specific numbers, if available. Please indicate the number of convicted officials that received suspended sentences or received only a fine as punishment.

Not applicable.

¶18. Response to questions in paragraph 28, section L of instructions cable. (Reftel A)

-- A. As part of the new requirements of the 2005 TVPRA, for countries that contribute troops to international peacekeeping efforts, please indicate whether the government vigorously investigated, prosecuted, convicted and sentenced nationals of the country deployed abroad as part of a peacekeeping or other similar mission who engage in or facilitate severe forms of trafficking or who exploit victims of such trafficking.

Not applicable.

¶19. Response to questions in paragraph 28, section M of instructions cable. (Reftel A)

-- A. If the country has an identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or deported/extradited to their country of origin? What are the countries of origin for sex tourists?

Not applicable.

-- B. Do the country's child sexual abuse laws have extraterritorial coverage (similar to the U.S. PROTECT Act)?

Yes.

-- C. If so, how many of the country's nationals have been prosecuted and/or convicted under the extraterritorial provision(s) for traveling to other

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countries to engage in child sex tourism?

None were reported.

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PROTECTION AND ASSISTANCE TO VICTIMS  
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¶20. Response to questions in paragraph 29, section A of

instructions cable. (Reftel A)

-- A. Does the government assist foreign trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation? If so, please explain.

The government reported that all trafficking victims in the Maagan shelter received temporary shelters, plus work visas if requested, whether they chose to testify or not. Women who chose to testify received a visa for the duration of the court proceedings, which have taken a year on average. After the legal proceedings are concluded, the women who choose to testify are entitled to request a temporary visa for another year, though in special circumstances the period may be longer or shorter. In 2007, 15 women received a visa (equivalent to a U.S. B1 visa) for 6 months, 25 women received an extension of their visa following their testimony, 13 women receive an "inter-visa" allowing its holder to leave the country and return with a designated time during their testimonies, and 40 women received 1-year visas for humanitarian reasons.

A written procedure for giving visas to victims of labor trafficking and slavery is still in process. Interior granted 6 victims 1-year visa extensions.

According to the government, foreign workers who file complaints regarding criminal offenses are not arrested, are generally placed in alternative employment, and are released with a special Immigration Authority document that is renewed monthly.

Isha L'Isha complained that women victims of trafficking are entitled to their rights only if they are in the Maagan shelter, and that women outside of the shelter face great difficulty in obtaining visas to remain in Israel. They said that in two cases Interior did not approve the transfer of women from a detention center to the shelter until the clarification of their legal case, and that "this went on for eight months." According to Isha L'Isha, women who do not testify and mothers who cannot leave Israel because of their children and do not receive legal status in Israel encountered problems in receiving services and benefits.

21. Response to questions in paragraph 29, section B of instructions cable. (Reftel A)

-- A. Does the country have victim care facilities which

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are accessible to trafficking victims?

Yes. Women identified as sex trafficking victims were transferred directly to the Maagan shelter without passing through any detention facilities. The police, Immigration Authority and NGOs all referred victims to the shelter.

Besides the director and administrative staff, the shelter includes three social workers, nine counselors, a housemother, and a security officer. A physician visits twice weekly, a psychiatrist visits when deemed necessary, teachers provide what the government called "enrichment" sessions, and numerous volunteers contribute their time.

The women in the shelter are entitled to a working visa, and shelter staff assist them in finding employment. Professional training in fields such as computers, English, cosmetics and hairdressing are offered. The shelter also offered recreational options such as a library, film club, activities such as music and sewing, and two sightseeing trips in Israel, and personal

enrichment activities such as a motherhood workshop.

Isha L'Isha complained that the government does not fund any treatment for trafficking victims who are outside of the shelter.

-- B. Do foreign victims have the same access to care as domestic trafficking victims?

The complaint among NGOs is the lack of facilities for domestic trafficking victims, not the other way around. Isha L'Isha charged that domestic trafficking victims are not receiving treatment at all and "are forced to hide their identity." The NGO also said that foreign victims outside the shelter to no receive any medical treatment or services from the Welfare Department.

According to the government, "no need for victims care for Israel trafficking victims has been detected to this date." Foreign victims who are in detention facilities rather than the shelter (according to the government, they are either "not identified as victims" or "do not wish to go to the shelter") are provided with basic necessities and medical care by the facilities of the Immigration Administration and the Israel Prisons Services. Victims who received visas, no longer reside in the shelter, and are employed receive medical insurance provided by their employer according to the Foreign Workers Law. Legal aid is provided to every trafficking victim, regardless of residence, through the Legal Aid Department in MOJ.

Israel currently has no shelter specifically for labor trafficking victims. In 2007, seven labor trafficking victims were referred to the Maagan shelter. Government Resolution 2670, passed December 2, 2007, approved a budget for the establishment of a shelter and three

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apartments for victims of slavery and trafficking for slavery and forced labor. The government acknowledged and is studying the different needs that will need to be addressed at the labor trafficking shelter as opposed to the Maagan shelter for sex trafficking victims.

-- C. Does the country have specialized facilities dedicated to helping victims of trafficking?

Yes, the shelter and services described in paragraph 21 section A.

-- D. If so, can post provide the number of victims placed in these care facilities during the reporting period?

During 2007, 75 women and nine children resided in the shelter, with an average stay of six months. 42 women and seven children were residing in the shelter as of February 2008. The shelter has a capacity of 50 women.

-- E. What is the funding source of these facilities?

The Ministry of Social Affairs and Social Services provided funding for the operation of the Maagan shelter, the Ministry of Public Security provided funding for security, and the Ministry of Health provided funding for medical care.

-- F. Please estimate the amount the government spent (in U.S. dollar equivalent) on these specialized facilities dedicated to helping trafficking victims during the reporting period.

The budget for Maagan shelter was \$1,030,000 for operations, \$277,000 for security, and \$100,000 for medical care, a total of \$1,407,000.

-- G. Does the government provide trafficking victims with access to legal, medical and psychological services? If so, please specify the kind of assistance provided, and the number of victims assisted, if available.

Yes, as described above. The government reported that ten women at Maagan shelter received psychiatric treatment in 2007, 73 medical cases were referred to Ichilov Hospital "mostly for gynecological reasons," and that 94 percent of the women referred to the shelter receive legal aid. Also as reported above, NGOs complain that these services are not made available to internal trafficking victims or victims residing outside the Maagan shelter.

Hotline reported one case where a women coming out of the hospital and in need of round-the-clock assistance was denied entry to the Maagan shelter because it could not provide her with appropriate care, and Hotline was asked to find another alternative "within a few hours."

¶22. Response to questions in paragraph 29, section C of  
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instructions cable. (Reftel A)

-- A. Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for services to trafficking victims? Please explain and provide any funding amounts in U.S. dollar equivalent. If assistance provided is in-kind, please specify exact assistance. Please explain if funding for assistance comes from a federal budget or from regional or local governments.

The government cooperates with domestic NGOs providing services to victims, but no government funding was provided to the NGOs. According to the government, the Immigration Authority, in cooperation with local NGOs, provided funding to trafficking victims and foreign workers and family members who wanted to leave Israel but could not afford to pay for the flights.

¶23. Response to questions in paragraph 29, section D of  
instructions cable. (Reftel A)

-- A. Do the government's law enforcement, immigration, and social services personnel have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact (e.g., foreign persons arrested for prostitution or immigration violations)?

For sex trafficking, the Immigration Authority circulated checklists/guidelines and provided training to field operatives and detention facilities officials on identifying and locating victims of trafficking. The government reported that referrals from NGOs such as Hotline and Isha L'Isha were considered part of the basic screening procedures.

For labor trafficking, Immigration Administration teams met with foreign workers on a daily basis to inform them of their rights and question them to identify any trafficking victims, according to the government. The information relayed to the workers was developed for trafficking guidelines circulated by the government in 2007, which included information on terms of employment (conveyed to both employer and employee, on issues such as the employment contract, medical insurance, working hours, pay, debt bondage, safety conditions, and residence facilities) and denial of freedom (on issues such as debt bondage, withholding of passports, access to telephones, and the use of physical and verbal violence against employees.)

Isha L'Isha noted disagreements regarding who constitutes a trafficking victim. According to Hotline, the Administrative Tribunal that oversees the cases of foreigners detained prior to deportation is a "particularly weak link" with trafficking case "continually ... unidentified by the judges."

-- B. What is the number of victims identified during the

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reporting period?

No information was provided on this question.

-- C. Has the government developed and implemented a referral process to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to institutions that provide short-or long-term care?

As reported in paragraph 21 section A, women who prima facie seem to be sex trafficking victims are referred to Maagan shelter without passing through detention facilities. Foreign workers who are detained are interviewed by a police officer and entitled to a hearing before a representative of Interior. NGO representative are also given access to detention facilities where they can assist foreign workers, and can be present at tribunal hearings with the worker's approval.

-- D. How many victims were referred for assistance by law enforcement authorities during the reporting period?

No information was provided on this question.

¶24. Response to questions in paragraph 29, section E of instructions cable. (Reftel A)

¶A. For countries with legalized prostitution: does the government have a mechanism for screening for trafficking victims among persons involved in the legal/regulated commercial sex trade?

While the act of prostitution is not criminalized, prostitution is not legalized in Israel.

¶25. Response to questions in paragraph 29, section F of instructions cable. (Reftel A)

-- A. Are the rights of victims respected?

The rights of victims are generally respected, although complaints persist. NGOs have issues with perceived barriers to accessing certain rights -- notably language problems - and Hotline argued that sex trafficking victims face difficulties with the legal system in receiving legal redress, although it was not clear if that was an issue for trafficking victims or an aspect of the Israeli legal system for legal redress generally. But NGO complaints about denial of rights focus on individuals they consider to be labor trafficking victims, but have not been so identified by the government. Hotline noted one example where they said they were "forced to submit a legal petition" each of the seven times they requested a visa for a labor trafficking "survivor," but did not clarify if and how that differed from a normal visa application process.

-- B. Are trafficking victims detained or jailed?

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The government does not detain or jail individuals who

have been identified as trafficking victims. The benefit of the doubt is generally given to possible sex trafficking victims, and we have no reported complaints of such individuals being classified as criminals in 2007. NGOs do complain that labor trafficking victims are often not identified as such by the government. Foreign workers residing in Israel illegally are detained in facilities separated from criminal detainees.

-- C. If detained or jailed, for how long?

Victims who are to be deported can be detained until deportation.

-- D. Are victims fined?

No.

-- E. Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

No. Isha L'Isha reported one case where a victim was jailed for armed robbery and false documents, received treatment from the Welfare Department, and is now rehabilitating.

26. Response to questions in paragraph 29, section G of instructions cable. (Reftel A)

-- A. Does the government encourage victims to assist in the investigation and prosecution of trafficking?

Yes, in sex trafficking cases. It is unclear in labor trafficking cases, due to the small number of labor trafficking victims that the government identified. Legal aid did assist 12 victims of labor trafficking in 10 lawsuits.

-- B. How many victims assisted in the investigation and prosecution of traffickers during the reporting period?

The government reported that 12 of the 34 women directed to the shelter during 2007 refused to testify, 12 agreed but were eventually not required to do so, five are awaiting testimony, 1 concluded her testimony, and 3 left the shelter before their testimony was given.

-- C. May victims file civil suits or seek legal action against traffickers?

Yes. Victims may also initiate petitions to the High Court of Justice against government agencies, if they so choose.

-- D. Does anyone impede victim access to such legal redress?

There are NGO complaints about victims' lack of knowledge

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of the law, lack of representation, lack of identification as a victim, low redress awards, and difficulties in collecting from the traffickers redress awarded by the courts. But while Isha L'Isha complained of what they called a "Kafkaesque" Interior policy regarding trafficking victims, and Kav LaOved voiced concerns that threats from traffickers intimidated some victims from seeking redress, there were no reports of any government action to intentionally impede access to legal redress.

-- E. If a victim is a material witness in a court case against a former employer, is the victim permitted to obtain other employment or to leave the country pending trial proceedings?



Yes. NGOs note that other employment can be difficult to find, but agreed that the government provided the option to do so.

-- F. Are there means by which a victim may obtain restitution?

There is no victim restitution program other than the right to file civil and administrative lawsuits, and court awarded compensation in criminal cases.

¶27. Response to questions in paragraph 29, section H of instructions cable. (Reftel A)

-- A. What kind of protection is the government able to provide for victims and witnesses? Does it provide these protections in practice?

There is currently no working witness protection program. On February 10, 2008 the Ministerial Committee on Legislation and Law Enforcement approved a bill entitled "The Witness Protection Program Law" aimed at creating a basis for establishing the Authority for the Protection of Witness in Israel in the Ministry of Public Security.

Along with its other roles, the Maagan shelter provided protection for sex trafficking victims who were testifying against their traffickers. The shelter also operates the "Safe Return" project through contact with NGOs in origin countries.

Police Intelligence, with the assistance of Interpol and the Israeli Police delegate abroad, prepare risk assessments when presented with evidence of danger to a trafficking victim.

-- B. What type of shelter or services does the government provide?

Answered in previous questions regarding the Maagan shelter.

-- C. Are these services provided directly by the government or are they provided by NGOs or IOs funded by

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host government grants?

The services associated with the government are provided directly by the government. There is no funding of NGOs or IOs by host government grants for services to trafficking victims.

-- D. Does the government provide shelter or housing benefits to victims or other resources to aid the victims in rebuilding their lives?

Answered previously.

-- E. Where are child victims placed (e.g., in shelters, foster care, or juvenile justice detention centers)?

Israel has not identified a problem in sex trafficking of minors. Children of trafficking victims are housed in the same facilities as their mother, such as the Maagan shelter.

-- F. What is the number of victims assisted by government-funded assistance programs during the reporting period?

No information provided, other than the 75 women and nine children who received services in the Maagan shelter during 2007.



-- G. What is the number of victims assisted by non government-funded assistance programs?

Hotline reported that they assisted 49 sex trafficking victims and 32 labor trafficking cases. Isha L'Isha reported that they assisted 49 sex trafficking victims.

-- H. What is the number of victims that received shelter services during the reporting period?

As reported previously, 75 women and nine children received services in the Maagan shelter during 2007.

¶28. Response to questions in paragraph 29, section I of instructions cable. (Reftel A)

-- A. Does the government provide any specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children?

Yes, the government provided many specialized training sessions in 2007 for government officials, both in identifying trafficking victims and in providing assistance to trafficking victims. Examples included a seminar on trafficking by the Institute for Judicial Training of the MOJ, attended by State and District Attorney representatives; courses in the Investigations and Intelligence Training School; routine updates and guidelines issued by Legal Aid Department of MOJ; two

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toolkits developed by the National Coordinator to identify labor trafficking; training for Immigration Administration officers on issues such as inter alia, the right to dignity and liberty, and xenophobia; guidelines for giving legal aid to victims for Tel Aviv and Haifa legal aid office lawyers; and a seminar co-hosted by the Haifa Legal Aid Office and Hotline that dealt with issues such as legal representation of minors.

Isha L'Isha reported that there is "more and more" prevention activity and identification of trafficking victims. "NGOs are invited to various events which are held by the government to talk with government representatives on identification for trafficking victims and raising awareness on the issue."

-- B. Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries?

The training program that Israeli diplomats must undergo before starting their mission abroad includes a chapter on trafficking in persons. In a related vein, Isha L'Isha said they organized the seminar the government conducted in early 2007 for representatives of Eastern European embassies regarding steps being taken by Israel to combat trafficking in women.

-- C. Does it urge those embassies and consulates to develop ongoing relationships with NGOs and IOs that serve trafficked victims?

MFA encouraged Israeli embassies to develop and maintain relationships with NGOs and IOs on trafficking issues. In January 2007, MITL in cooperation with the Israeli Ambassador to Thailand launched an information booklet in Thai on the rights of foreign workers in Israel, which was attached to the passport of every worker who received a visa.

-- D. What is the number of trafficking victims assisted by the host country's embassies or consulates abroad during the reporting period? Please explain the level of

assistance. For example, did the host government provide travel documents for the victim to repatriate, did the host government contact NGOs in either the source or destination countries to ensure the victim received adequate assistance, did the host government pay for the transportation home for a victim's repatriation, etc.

With the understanding that this refers to any Israelis who might have been trafficked abroad, there were no such reported cases by the government.

¶29. Response to questions in paragraph 29, section J of instructions cable. (Reftel A)

-- A. Does the government provide assistance, such as medical aid, shelter, or financial help, to its nationals who are repatriated as victims of trafficking?

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Not applicable.

¶30. Response to questions in paragraph 29, section K of instructions cable. (Reftel A)

-- A. Which international organizations or NGOs, if any, work with trafficking victims?

The Center for International Migration and Immigration, Hotline for Migrant Workers, Isha L'Isha Haifa Feminist Center, the Israeli AIDS Task Force, Kav LaOved, Keshet (which runs the Maagan shelter under government supervision), Machon Toda'a, and the Task Force on Human Trafficking are six prominent Israeli NGOs that work with trafficking victims. International NGOs that work with sex trafficking victims in Israel include the Angel Coalition, IOM Belarus, IOM Chisinau-Moldova, IOM Moscow, IOM Ukraine, IOM Uzbekistan, Istikamboli Avlod Uzbekistan, La Strada in Moldova, the Odessa (Ukraine) Public Movement "Faith, Hope, Love", Physicians for Human Rights, the St. Petersburg INGI Crisis Center for Women, and Winrock Russia. UNHCR and Amnesty International work with refugees, who can become trafficking victims.

-- B. What type of services do they provide?

Each organization provides a different set of services to a different group of victims. A partial list of the kinds of services they provide includes: protection; absorption; victim's hotline; economic assistance; temporary shelter; legal representation; legal advocacy; job training; psychiatric treatment; medical treatment; greeting women at the airport when they land in the source country; and helping the women to safely arrive home from the airport.

-- C. What sort of cooperation do they receive from local authorities?

Isha L'Isha reported that IOM in all countries has significant influence on the government, but that other NGOs have less influence, and specifically that all NGOs in Russia have "no influence whatsoever on the government." Isha L'Isha added that IOM Uzbekistan has no influence on the government, but that there is cooperation between them.

-- D. How much funding (in U.S. Dollar Equivalent) did NGOs and international organizations receive from the host government for victim assistance during the reporting period? Please disaggregate funding for prevention and public awareness efforts from victim assistance funding. NOTE: If post reports that a government is incapable of providing direct assistance to TIP victims, please assess whether the government ensures that TIP victims receive access to adequate care from

other entities. Funding, personnel, and training constraints should be noted, if applicable. Conversely, the lack of political will in a situation where a country

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has adequate financial and other resources to address the problem should be noted as well.

The government cooperated with NGOs and IOs in many ways, including joint hosting of conferences and NGO participation in creating the national plans for combating trafficking, but the GOI did not provide any direct funding to NGOs or IOs for anti-trafficking efforts.

Isha L'Isha charged that there is an acute problem "and the sources is all the above: lack of funding; lack of personnel; and in many cases, lack of will." Isha L'Isha also quoted research by Dr. Miriam Shif from the School of Social Work and Shivtati Levit of the Methadone Center in Jerusalem that said "in the past few years in Israel, there has been a drastic increase in the privatization of numerous social services the state is obliged to provide by law" and private organizations and business corporations are being given the responsibility to care for many vulnerable populations.

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PREVENTION  
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131. Response to questions in paragraph 30, section A of instructions cable. (Reftel A)

-- A. Does the government acknowledge that trafficking is a problem in the country? If not, why not?

The government has publicly acknowledged on numerous occasions that trafficking is a problem in Israel, and has taken numerous steps to raise public awareness of the situation.

132. Response to questions in paragraph 30, section B of instructions cable. (Reftel A)

-- A. Are there, or have there been, government-run anti-trafficking information or education campaigns conducted during the reporting period?

Yes, several.

-- B. If so, briefly describe the campaign(s), including their objectives and effectiveness.

The Authority for the Advancement of the Status of Women, a part of the PMO, carried out activities in various parts of the public sector. In cooperation with the Unit for Gender Equality in the Ministry of Education, the Authority conducted awareness campaigns in the school system that included seminars for administrators and presentations for teachers. In cooperation with the National Coordinator, the Authority prepared information on trafficking that was disseminated to supervisors at a seminar on December 2, 2007. In September 2007, the Authority and the Chairman of the Union of Local

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Authorities disseminated trafficking awareness information to all heads of local authorities in Israel, and the Chairman of the Local Authorities instructed that the issue of trafficking in women be integrated into every training activity the local authorities. The government reported that such training has already begun. On December 2, 2007, in cooperation with the Tel Aviv

Municipality and the Union of Local Authorities, and several NGOs, the Authority held a national conference titled "Women Trafficking - Modern Slavery."

On December 2, 2007, the government created a national award for persons who contributed to the fight against human trafficking.

MITL issued a special workers' rights brochure for the construction industry in English, Russian, Romanian, Turkish, Thai and Chinese. MITL also began distributing a brochure -- in Hebrew, English, Chinese, Thai, Russian, Romanian and Turkish -- setting out general labor rights of foreign workers in Israel to every foreign workers upon their arrival to Ben Gurion Airport, and posted the brochure on its website.

The National Coordinator participated in numerous seminars and conferences, and gave lectures at several universities and young leaders programs.

The Director of the Maagan shelter gave several lectures at government agencies and schools.

The Police approved the text for a brochure to be circulated by Hotline in police stations regarding the rights of trafficking victims.

The Immigration Police ran a radio campaign that warned employers not to exploit migrant workers.

The Ministry of Education held five conferences for members of the education system in order to raise awareness on trafficking issues.

The Israel Broadcast Authority ran television and radio programs on the subject of trafficking.

The government conducted a training session for 200 prosecutors on trafficking in women.

Isha L'Isha noted that the police invite NGOs to their training session on trafficking in women.

Other government activities included a call against human trafficking that was disseminated to all heads of the kibbutzim movement, and an IDF pledge to conduct educational activities on trafficking.

Many of the programs described above dealt with labor trafficking as well as sex trafficking.

-- C. Please provide the number of people reached by such

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awareness efforts if available.

No estimates were available, but the programs reached large numbers of people within various arms of the government and in the general public.

-- D. Do these campaigns target potential trafficking victims and/or the demand for trafficking (e.g. "clients" of prostitutes or beneficiaries of forced labor)?

Some of the programs, such as the MITL brochures, targeted potential victims. The Immigration Administration ran campaigns targeting potential beneficiaries of trafficking, warning them of consequences of exploitation.

133. Response to questions in paragraph 30, section C of instructions cable. (Reftel A)

-- A. What is the relationship between government officials, NGOs, other relevant organizations and other

elements of civil society on the trafficking issue?

There is strong cooperation among NGOs. Despite frustration in some quarters over what they consider lack of enforcement of the new trafficking law, NGOs report excellent working relationship with the National Coordinator and many elements of the government, including the police. NGO complaints persist regarding alleged resistance in Interior. Hotline noted that they "found that the higher up in government we go, the stronger the cooperation" but that cooperation on the lower levels is often difficult. Isha L'Isha noted that the government is making efforts to implement prevention actions, and that its work in all aspects of prevention can be noted positively, especially the work of Marit Danon Authority for the Advancement of Women. While they complimented government-NGO cooperation generally, Isha L'Isha and Machon Toda'a voiced several complaints against Interior in their response for this report.

¶34. Response to questions in paragraph 30, section D of instructions cable. (Reftel A)

-- A. Does the government monitor immigration and emigration patterns for evidence of trafficking?

The government reported that Interior monitored new patterns of trafficking using forged documents or fictitious marriages. Isha L'Isha noted that the government is "making efforts."

-- B. Do law enforcement agencies screen for potential trafficking victims along borders?

According to the government, "border controllers are skilled at detecting passport forgeries."

¶35. Response to questions in paragraph 30, section E of instructions cable. (Reftel A)

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-- A. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force? Does the government have a trafficking in persons working group or single point of contact?

Yes, the National Coordinator, who works out of MOJ, coordinates multi-agency cooperation and working groups, and is the first point of contact in the government on trafficking issues. The National Coordinator also heads a multi-agency permanent round table that meets periodically to map out problems and strategies. In addition, the Knesset Subcommittee on Trafficking in Women and the Knesset Special Committee on Foreign Workers serve as forums for debate on trafficking issues, and monitor measures taken to address trafficking.

-- B. Does the government have a public corruption task force?

A inter-agency Implementation Committee in "The Battle against Severe Crime and Organized Crime and their Outcomes" is charged with developing operational mechanism and performance measures on issues such as intelligence fusion and money laundering, some of which include elements of investigating public corruption.

¶36. Response to questions in paragraph 30, section F of instructions cable. (Reftel A)

-- A. Does the government have a national plan of action to address trafficking in persons?

Yes. On December 2, 2007, Government Resolution 2670 approved the National Plan to Combat Trafficking for Prostitution and the National Plan to Combat Trafficking for Labor.

-- B. If so, which agencies were involved in developing it?

MOJ, Ministry of Public Security, Ministry of Social Affairs, Interior, MITL, MFA, Ministry of Health, Israel Police, PMO, State Attorney's Office, Authority for the Advancement of Women, and the Director of the Maagan Shelter.

-- C. Were NGOs consulted in the process?

Yes, including Hotline, Kav LaOved, Isha L'Isha, Machon Toda'a, Atzum, Amnesty International and Physicians for Human Rights.

-- D. What steps has the government taken to disseminate the action plan?

A synopsis of the National Plan was published on the MOJ website.

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137. Response to questions in paragraph 30, section G of instructions cable. (Reftel A)

-- A: For all posts: As part of the new criteria added to the TVPA's minimum standards by the 2005 TVPRA, what measures has the government taken during the reporting period to reduce the demand for commercial sex acts? (see ref B, para. 9(3) for examples)

On December 2, 2007 - The International Day for the Abolition of Slavery - the Ministry of Education circulated information throughout the educational system on the issue of trafficking in women. The information focused on the issue of demand, and the education system's role in reducing demand for sexual services and pornography, through education on human dignity and equality.

October 16, 2007 the Parliamentary Subcommittee held a special session, attended by the Swedish Trafficking Ambassador and high ranking representatives of the Philippine and French embassies in Israel, that included discussion on preventing trafficking and presentations of the trafficking situation in the respective countries.

The National Plan to Combat Trafficking for Prostitution authorized research to consider legislation to criminalize purchasing prostitution services. The research has been completed by the Office of the National Coordinator and is in the process of being edited and submitted to the Deputy Attorney General for Criminal Matters for consideration.

138. Response to questions in paragraph 30, section H of instructions cable. (Reftel A)

-- A. Required of Posts in EU countries and posts in Canada, Australia, New Zealand, Japan, China, Singapore, South Korea, Taiwan, and Hong Kong: As part of the new criteria added to the TVPA's minimum standards by the 2005 TVPRA, what measures has the government taken during the reporting period to reduce the participation in international child sex tourism by nationals of the Country?

Not applicable.

139. Response to questions in paragraph 30, section I of

instructions cable. (Reftel A)

-- A. Required of posts in countries that have contributed over 100 troops to international peacekeeping efforts (Argentina, Australia, Austria, Bangladesh, Belgium, Benin, Bolivia, Brazil, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Denmark, Egypt, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Hungary, India, Indonesia, Ireland, Italy, Jordan, Kenya, Malawi, Malaysia, Mali, Mongolia, Morocco, Namibia, Nepal, the Netherlands, Niger, Nigeria,

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Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russia, Rwanda, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Tanzania, Togo, Tunisia, Turkey, Ukraine, United Kingdom, Uruguay, Zambia, and Zimbabwe): What measures has the government adopted to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking or exploit victims of such trafficking?

Not applicable.

Not applicable.